II. REMARKS

1. Claims 1-3 remain in the application.

2. Claims 1-3 are not anticipated by Engler et al. (US 6,383,619, "Engler").

2.1 Engler fails to disclose or suggest that the walls of the cavities have a higher dielectric constant than that of the dielectric fluid, as recited by claim 1.

Column 3, lines 31-50, cited by the Examiner refers to electrically activatable particles that move under the application of an electric field. There is no disclosure related to the walls of the cavities having a higher dielectric constant than the dielectric fluid.

Column 4, lines 1-19, cited by the Examiner describes forming matrix cavities and describes the characteristics of bichromal particles. However, this section also fails to describe anything related to the walls of the cavities having a higher dielectric constant than that of the dielectric fluid.

Column 8, lines 5-65, also cited by the Examiner describes an embodiment where the particles translate rather than rotate as called by claim 1. Nevertheless, there is still no disclosure related to the walls of the cavities having a higher dielectric constant than the dielectric fluid.

A careful reading of Engler in its entirety fails to find any disclosure or suggestion of this feature.

2.2 Engler also fails to disclose or suggest that the dielectric material includes an ionizable charge director

material which forms mobile ions which move and induce a dipole moment and rotate the particles, as recited by claim 1.

Column 3, lines 31-50 of Engler simply states that application of a sufficiently strong electric field commonly results in the particles moving, for example rotating. There is no disclosure related to forming mobile ions which move and in turn rotate the particles.

Column 4, lines 1-19, cited by the Examiner, describes a matrix that swells as a result of absorbing a liquid agent to form cavities. The cavities are filled with another liquid and thus allow rotation of the particles. However, there is no disclosure and no suggestion related to an ionizable charge director material as described above.

Column 8, lines 6-50, also cited by the Examiner, also includes no disclosure related to an ionizable charge director material as recited by claim 1.

In the "Response to Arguments" section of the present rejection, the Examiner cites the above mentioned portions of columns 3, 4, and 8 as disclosing "different mobilities which move within the liquid towards the cavity walls of opposite polarity and induce a dipole moment and rotate the particles." Applicants disagree.

Engler appears to induce movement solely by application of an electrical field. Applicants simply find no disclosure related to an ionizable charge director material and no disclosure related to mobile ions that cause the particles to rotate. The present invention is advantageous because it avoids problems associated with tribocharge removal and provides a threshold response mechanism as described in the specification on page 1, line 19 through page 2, line 22.

At least for these reasons, Applicants respectfully submit that Engler fails to anticipate independent claim 1 and dependent claims 2 and 3.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 24-0037.

Respectfully submitted,

Joseph V. Gamberdell, Jr. 12 March 2004
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